

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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In Re: Pharmaceutical Industry )  
Average Wholesale Price )MDL NO. 1456  
Litigation )  
THIS DOCUMENT RELATES TO: )Civil No. 1:01-CV-12257-PBS  
 ) MDL No. 1456  
 )  
State of Florida, et al. )Judge Patti B. Saris  
v. Alpharma, Inc., et al. )  
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**REQUEST FOR INTERNATIONAL JUDICIAL  
ASSISTANCE (LETTER ROGATORY)**

United States District Court for the District of Massachusetts presents its compliments to the Appropriate Judicial Authority of Australia, and requests international assistance to effect service of process to be used in a Civil proceeding before this court in the above captioned matter.

**I. REQUEST**

This Court requests the assistance described herein as necessary in the interests of justice. The assistance requested is that the Appropriate Judicial Authority of Australia effect Service of Process of the following: 1) The Summons in a Civil Action; 2) The Conditional Transfer Order with attached Schedule; 3) The Notice of Removal; and 4) Exhibit A (The Complaint with Exhibit A) on the below named corporation:

Mayne Group Limited  
Level 21  
390 St. Kilda Road  
Melbourne Vic 3004  
Australia

The Appropriate Judicial Authority of Australia is requested to serve the above-mentioned documents by personal service into the hands of a director, managing agent or other person authorized to accept service, or in a manner of service consistent with the law of Australia.

## II. FACTS OF THE CASE

This is a civil action pursuant to the Florida False Claims Act §§68.081-68.092, Florida Statutes, and for common law fraud. Plaintiffs, the State of Florida, acting by and through its Attorney General alleges that Defendants, including Mayne Group, Ltd., by and through its subsidiary Purepac Pharmaceutical Co., made or caused to be made, false or fraudulent statements, representations and claims to the State of Florida's Medicaid Program for certain specified pharmaceuticals from July 1, 1994 to the date of the Complaint. Plaintiff alleges that the conduct of the Defendants, including Mayne Group Ltd. caused the State of Florida to pay inflated amounts of reimbursement of Medicaid claims. Pursuant to the Florida False Claims Act, Plaintiff seeks treble damages and statutory penalties.

## III. RECIPROCITY

The United States District Court for the District of Massachusetts is willing to provide similar assistance to the Appropriate Judicial Authority of Australia by honoring letter rogatories from the Appropriate Judicial Authority of Australia .

#### IV. REIMBURSEMENT FOR COSTS

Plaintiffs counsel will reimburse the Appropriate Judicial Authority of Australia for costs not exceeding five hundred dollars (\$500.00) incurred in executing the United States District Court for the District of Massachusetts' letter rogatory. Please contact Plaintiff's counsel, Joy P. Clairmont at (215) 875-3000, before exceeding this amount.

In acknowledgment of the additional time which is needed to prepare and file an Answer to the attached documents, the time period for answering is extended to 45 days after service.

DATE: 11/18/05

  
Hon. Patti B. Saris  
United States District Judge  
John Joseph Moakley  
US Courthouse  
1 Courthouse Way  
Suite 2300  
Boston, MA 02210